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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH - CENTRAL DIVISION

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

THOMAS PAUL ERCANBRACK,

Defendant.

**MEMORANDUM DECISION  
AND ORDER**

Case No. 2:02 CR 00627

Judge Dee Benson

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On June 17, 2003, defendant Thomas Paul Ercanbrack was sentenced to a 46-month term of imprisonment followed by a 36-month term of supervised release for carjacking in violation of 18 U.S.C. § 2119. The case is before the Court on defendant's motion for early termination of supervised release. The United States Probation Office opposes the motion.

The standard governing early termination of supervised release is set forth at 18 U.S.C. § 3585(e). It provides that the Court may terminate the term of supervised release "and discharge the defendant released at any time after the expiration of one year of supervised release . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice." 18 U.S.C. § 3583 (e)(1).

After careful consideration of the factors identified in § 3585(e) the court declines to grant defendant's motion. While acknowledging defendant's compliance with the court ordered conditions of his release to date, given the violent nature of the instant offense, the relatively short length of time defendant has been on supervised release, and the United States Probation

Office's opposition to the motion, the Court finds the interest of justice does not warrant the termination of supervised release at this time.

Defendant's motion is DENIED.

IT IS SO ORDERED.

Dated this 3<sup>rd</sup> day of August, 2006.

A handwritten signature in black ink that reads "Dee Benson". The signature is written in a cursive, flowing style.

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Dee Benson  
United States District Court Judge